

RULES/AGENCY RULES COMMITTEE

Meeting Report
April 20, 2005

PRESENT: Chair Chavez, Members Chirco and Williams
Member Yeager attended as an alternative member.

ABSENT: Member Campos (excused)

STAFF: City Attorney Rick Doyle, Assistant City Clerk Nancy Alford, Mayor's Budget and Policy Analyst Lydia Tolles, Assistant City Manager Mark Linder, Sr. Executive Analyst Nadine Nader, and Redevelopment Agency Liaison Gary Miskimon

Chair Chavez called the meeting to order at 2:04 p.m.

A. Redevelopment Agency

1. Review of the May 3, 2005 Draft Agenda

The Committee recommended approval of the May 3, 2005 Redevelopment Agency agenda.

2. Add New Items to April 26, 2005 Agenda

The Committee recommended approval of the April 26, 2005 Redevelopment Agency agenda with the following additions:

- **Redevelopment Board Requests**

There were none.

- **Executive Director Requests**

- a. Adoption of resolution approving additional contingency funding of \$430,000 to the FY 2004-2005 Adopted Capital Budget in the Temporary Convention Center project line in the Merged Redevelopment Area and amending the FY 2004-2005 Agency appropriations resolution. CEQA: Mitigated Negative Declaration, CP04-028 [MERGED]

- **RDA Counsel Requests**

There were none.

3. Staff Reports Outstanding

There were no outstanding reports.

B. City Council

1. Review of the May 3, 2005 Draft Agenda

The Committee recommended approval of the May 3, 2005 City Council Agenda with the following additions:

- a. Presentation of a proclamation declaring May as Older American's Month in the City of San José (Mayor/LeZotte)
- b. Presentation of a commendation to the California Theatre Team for its exemplary dedication and invaluable contributions to the City organization (Mayor/City Manager)
- c. Swearing-in ceremony District 5 Youth Commissioner (City Clerk)

2. Add New Items to the April 26, 2005 Agenda

The Committee recommended the following additions to the City Council Agenda:

Mayor and Councilmember Requests

- a. Approval of nominations to the San José Silicon Valley Workforce Investment Network Board of Directors (SVWIN) and the SVWIN Youth Council Committee (Mayor)

City Manager Requests

- a. Approval of actions for the New City Hall Relocation Services (General Services/City Manager/Finance)

City Attorney Requests

There were none.

City Clerks Requests

There were none.

3 Staff Reports Outstanding

Documents Filed: Report from the City Manager's Office dated April 19, 2005, listing four (4) staff reports outstanding for the April 26, 2005 City Council Meeting.

Discussion/Action: The Committee noted and filed the City Manager's Report.

C. Legislative Update

1. State

a. Assembly bill 985 (Torrico): Labor: Military Duty

Documents Filed: Report from Betsy Shotwell, Director of Intergovernmental Relations dated April 14, 2005, regarding Assembly Bill 985 (Torrico): Labor: Military Duty.

Discussion/Action: The Committee accepted the recommendation for the City to support Assembly Bill 985 (Torrico), which would prohibit an employer discharging or discriminating against an employee for taking time off to perform active military duty as a member of the militia of this state as provided.

2. Federal

There was no report.

D. Meeting Schedules

Documents Filed: Memorandum from the Mayor Ron Gonzales, dated April 14, 2005, requesting approval of a revised 2005-06 Budget Study Session Calendar.

Discussion/Action: The Committee recommended approval of the revised 2005-06 Budget Study Session Calendar.

E. Public Record

Documents Filed: Memorandum from the City Clerk dated April 14, 2005, transmitting items filed for the Public Records for the period April 6 – 12, 2005.

Discussion/Action: The Committee noted and filed the Public Record.

F. Appointments to Boards, Commissions and Committees

1. Appointment to the Mobile Home Advisory Commission

Documents Filed: Memorandum from Council Member Chuck Reed dated April 12, 2005, recommending appointment of Alice Esquivel to the Mobile Home Advisory Commission.

Discussion/Action: The Committee recommended appointment of Alice Esquivel as the neutral representative on the Mobile Home Advisory Commission for an unexpired term ending December 31, 2006.

2. Re-Appointment to the Airport Commission

Documents Filed: Memorandum from Council Member Chuck Reed dated April 12, 2005, recommending re-appointment of two Airport Commission incumbents.

Discussion/Action: The Committee recommended the re-appointment of incumbents Daniel Biesterveld and Rolayne Edwards to terms ending June 30, 2008.

3. Re-Appointment to the Arts Commission

Documents Filed: Memorandum from Council Member Forrest Williams dated April 15, 2005, recommending re-appointment of three Arts Commission incumbents.

Discussion/Action: The Committee recommended the re-appointment of incumbents Jill Arnone, Sharon Gustafson and David Eisbach to terms ending June 30, 2008.

4. Re-Appointment to the Disability Advisory Commission

Documents Filed: Memorandum from Council Member Linda J. LeZotte dated April 15, 2005, recommending re-appointment of three Disability Commission incumbents.

Discussion/Action: The Committee recommended the re-appointment of incumbents Susan G. Espinoza, Thomas Matola and Barbara E. Stahl to terms ending June 30, 2008.

5. Re-Appointment to the Early Care and Education Commission

Documents Filed: Memorandum from Council Member Judy Chirco dated April 14, 2005, recommending re-appointment of three Early Care and Education Commission incumbents.

Discussion/Action: The Committee recommended the re-appointment of incumbents Mona Lemon, Bertha Martin and Jemina Munoz to terms ending June 30, 2008.

6. Re-Appointment to the Library Commission

Documents Filed: Memorandum from Council Member Ken Yeager dated April 11, 2005, recommending re-appointment of two Library Commission incumbents.

Discussion/Action: The Committee recommended the re-appointment of incumbents Timothy Karas and John Ramos to terms ending June 30, 2008.

7. Re-Appointment to the Parks and Recreation Commission

Documents Filed: Memorandum from Council Member Ken Yeager dated April 11, 2005, recommending re-appointment of two Parks and Recreation Commission incumbents.

Discussion/Action: The Committee recommended the re-appointment of incumbents Patricia Eaton and Mary Ann Ruiz to terms ending June 30, 2008.

8. Re-Appointment to the Senior Citizens Commission

Documents Filed: Memorandum from Council Member Linda J. LeZotte dated April 15, 2005, recommending re-appointment of one Senior Citizens Commission incumbent.

Discussion/Action: The Committee recommended the re-appointment of incumbent Marilou Cristina to a term ending June 30, 2008.

9. Re-Appointment to the Traffic Appeals Commission

Documents Filed: Memorandum from Council Member Ken Yeager dated April 11, 2005, recommending re-appointment of one Traffic Appeals Commission incumbent.

Discussion/Action: The Committee recommended the re-appointment of incumbent Dale Osborn to a term ending June 30, 2008.

G. Rules Committee Reviews, Recommendations and Approvals

1. Approval of an Addition to the City Auditor's Work Plan Related to Disability Retirement Issues

Documents Filed: Memorandum from Mayor Ron Gonzales and Vice Mayor Cindy Chavez dated April 18, 2005, regarding an Auditor Work Plan Addition for Disability Retirements.

Discussion/Action: The Committee recommended adding an audit review of disability retirement issues to the City Auditor's work plan.

2. Request for Workload Assessment, Work plan and Feasibility Study for the Silicon Valley Boys & Girls Club

Documents Filed: Memorandum from Council Member Cortese dated April 13, 2005, regarding the Silicon Valley Boys & Girls Club.

Discussion/Action: The Committee directed the Administration to return to the Rules Committee on April 27, 2005, and provide a workload assessment, work plan and feasibility study for the two options currently presented to determine how the City can assist in mitigating the Boys & Girls Club of Silicon Valley's deteriorating financial situation.

3. Allocation Request from the Community Gift Trust Fund

Documents Filed: Memorandum from Jim Webb, Interim Chief of Staff, Council District 7, dated April 13, 2005, regarding Allocation Request from the Community Gift Trust Fund.

Discussion/Action: The Committee recommended authorization of the allocation of \$250 from District 7's portion of the Community Gift Trust Fund for expenditure on the following community events:

1. King-Ocala Neighborhood Association clean-up; and
2. McLaughlin Corridor clean-up.

H. Oral Communications

There were none presented.

I. Adjournment

The meeting adjourned at 2:20 p.m.

Cindy Chavez, Chair
Rules/Agency Rules Committee